

TOWN OF GRANITE FALLS

ORDINANCE NO. 457

AN ORDINANCE RELATING TO PRIVATE EMERGENCY ALARM SYSTEMS, PROVIDING THAT SUCH SYSTEMS BE REGISTERED WITH THE POLICE DEPARTMENT AND THAT THEY BE PROPERLY MAINTAINED, AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ORDAINED BY THE TOWN OF GRANITE FALLS:

SECTION 1. It is the intent and purpose of Town Council in enacting this Ordinance to reduce the number of false alarms from private emergency alarm systems in the Town, and the resultant waste of Town resources, by requiring that the owners thereof keep them properly maintained, by providing for corrective administrative actions, penalties and potential disconnection of such systems.

SECTION 2. In this ordinance "False Alarm" includes the activation of any burglary and/or robbery alarm by other than a forced entry, attempted forced entry, unlawful entry, or actual burglary or robbery on the premises, and at a time when no robbery or burglary or other crime involving a foreseeable risk of bodily harm is being committed or attempted on the premises. In this Ordinance "burglary and/or robbery alarm" means any device which is designed and intended to sound an audible or inaudible or visible alarm if the building is entered while the premises are closed, and/or which can be sounded by employees or residents to call police to the premises.

SECTION 3. It is unlawful to have or to maintain on any premises in the Town a burglary and/or robbery alarm unless the owner of the premises or the operator of an alarm service has filed with the police department an Emergency Response Card. Such card shall contain the name or names of phone numbers of persons authorized to enter such premises and to turn off any alarm. Any alarm audible upon abutting property for a period in excess of fifteen minutes is declared to be a public nuisance and may be summarily abated by any member of the police department. Any alarm installed after the effective date of this ordinance shall have an automatic shut off feature so that the alarm will not sound for more than fifteen consecutive minutes. All existing alarms shall be provided with such a feature in not less than 180 days from the effective date of this ordinance.

SECTION 4. For police response to any false alarm the Town shall charge and collect from the person having such burglary and/or robbery alarm on premises owned for occupied by him or her, fees as follows: provided, any alarm sounded in the first fifteen days after installation of such alarm on any premises shall not count as a violation.

A. For a response to premises at which no other false alarm has occurred within the preceding six month period, and also after the second false alarm, no fee shall be charged. Upon such first and second response; however, notice of the conditions and requirements of this ordinance shall be given to the owner or occupant of the premises on which the false alarm occurred.

B. For a third response to a false alarm at premises within one year after the first response a fee of twenty-five dollars shall be charged. In addition, the person having or maintaining such burglary and/or robbery alarm shall, within five working days after notice to do so, make written report to the Chief of Police on prescribed forms setting for the cause of such false alarm, the corrective action taken, whether and when such alarm has been inspected by service personnel authorized by the licensee, and such other information as the Chief of Police may reasonably require to determine the cause of such false alarm, any mitigating circumstances, and corrective action necessary.

The Chief of Police may direct the person having or maintaining such burglary and/or robbery alarm to have service personnel of the licensee inspect the alarm at such premises, or to take other corrective action as prescribed by the Chief of Police. All costs of inspection and corrective actions shall be the responsibility of the individual having or maintaining the alarm on said premises or of the operator of the alarm service.

C. For a fourth response to premises within one year after such a first response, and for all succeeding responses within one year, a fee of fifty dollars shall be charged, and if such succeeding false alarm occurs as a result of failure to take necessary corrective action prescribed under Subsection B the Chief of Police may order the person having or maintaining the alarm to disconnect such alarm until the prescribed corrective action has been taken and certification of such corrective action has been provided to the police department. The Department then shall send appropriate notice to the alarm service. Provided, no disconnection shall be ordered relative to any premises required by law to have an alarm system in operation.

SECTION 5. False alarms created by a power failure, shall be exempt from the requirements of this ordinance.

SECTION 6. Notice of imposition of any administrative sanction, including the imposition of a fee or order of disconnection under the provisions of this ordinance shall be given to the person having or maintaining a burglary and/or robbery alarm on premises owned or occupied by him. With respect to business premises, the owner, manager, or chief administrative agent regularly employed on or assigned to the premises at the time of the occurrence of a false alarm shall be presumed to be the person having or maintaining said alarm on said business premises and notice shall be given to such person.

SECTION 7. Any person subject to the imposition of a fee, order of disconnection or other administrative sanction under the terms of this ordinance shall have a right to appeal. The appeal will be to determine whether this ordinance has been violated after proper notices had been given. Unless notice of appeal is filed with the Town Clerk within ten days of receipt of notice of imposition of an administrative sanction such sanction shall be deemed final.

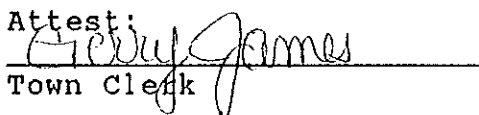
SECTION 8. This Ordinance shall be administered by the Chief of Police and he shall have authority to impose reasonable rules and regulations necessary for its administration.

SECTION 9. This ordinance shall be administered by the Chief of Police and he shall have authority to impose reasonable rules and regulations necessary for its administration.

SECTION 10. This ordinance shall be effective 30 days after final passage. During such 30 days all persons covered by this ordinance shall register with the police Department on forms to be supplied by it. No fee shall be charged for registration under this ordinance.

Passed by the Town Council this 27 day of November,
1991.


MAYOR

Attest:

Town Clerk

First Reading: November 13, 1991
Second Reading: November 27, 1991
Publication: December 12, 1991
Final: December 12, 1991